



General Assembly

Substitute Bill No. 5506

February Session, 2012

* ____HB05506JUD__032712__ *

AN ACT CONCERNING GOOD SAMARITAN PROTECTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 52-557b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) A person licensed to practice medicine and surgery under the
5 provisions of chapter 370 or dentistry under the provisions of section
6 20-106 or members of the same professions licensed to practice in any
7 other state of the United States, a person licensed as a registered nurse
8 under section 20-93 or 20-94 or certified as a licensed practical nurse
9 under section 20-96 or 20-97, a medical technician or any person
10 operating a cardiopulmonary resuscitator or a person trained in
11 cardiopulmonary resuscitation in accordance with the [standards]
12 guidelines set forth by the American Red Cross or American Heart
13 Association, or a person operating an automatic external defibrillator,
14 who, voluntarily and gratuitously and other than in the ordinary
15 course of such person's employment or practice, renders emergency
16 medical or professional assistance to a person in need thereof, shall not
17 be liable to such person assisted for civil damages for any personal
18 injuries which result from acts or omissions by such person in
19 rendering the emergency care, which may constitute ordinary
20 negligence. A person or entity that provides or maintains an automatic

21 external defibrillator shall not be liable for the acts or omissions of the
22 person or entity in providing or maintaining the automatic external
23 defibrillator, which may constitute ordinary negligence. The immunity
24 provided in this subsection does not apply to acts or omissions
25 constituting gross, wilful or wanton negligence. With respect to the use
26 of an automatic external defibrillator, the immunity provided in this
27 subsection shall only apply to acts or omissions involving the use of an
28 automatic external defibrillator in the rendering of emergency care.
29 Nothing in this subsection shall be construed to exempt paid or
30 volunteer firefighters, police officers or emergency medical services
31 personnel from completing training in cardiopulmonary resuscitation
32 or in the use of an automatic external defibrillator in accordance with
33 the [standard] guidelines set forth by the American Red Cross or
34 American Heart Association. For the purposes of this subsection,
35 "automatic external defibrillator" means a device that: (1) Is used to
36 administer an electric shock through the chest wall to the heart; (2)
37 contains internal decision-making electronics, microcomputers or
38 special software that allows it to interpret physiologic signals, make
39 medical diagnosis and, if necessary, apply therapy; (3) guides the user
40 through the process of using the device by audible or visual prompts;
41 and (4) does not require the user to employ any discretion or judgment
42 in its use.

43 Sec. 2. (NEW) (*Effective October 1, 2012*) (a) For purposes of this
44 section:

45 (1) "Political subdivision" means any city, town, municipality,
46 borough or other unit of local government; and

47 (2) "Temporary emergency shelter" means a facility that provides
48 emergency shelter for a specified, limited period of time.

49 (b) In the event that the Governor declares the existence of a civil
50 preparedness emergency, pursuant to section 28-9 of the general
51 statutes, and (1) the chief elected official or the chief executive officer
52 of a political subdivision of the state, or (2) a nonprofit organization

53 which is exempt from taxation pursuant to Section 501(c)(3) of the
 54 Internal Revenue Code of 1986 or any subsequent corresponding
 55 internal revenue code of the United States, as from time to time
 56 amended, establishes one or more temporary emergency shelters for
 57 the benefit of residents of the state, any employee, officer or agent of
 58 the political subdivision, any employee, officer or agent of the
 59 nonprofit organization, or any volunteer assisting the political
 60 subdivision or nonprofit organization in the operation of a temporary
 61 emergency shelter, who renders assistance to a resident taking refuge
 62 at such temporary emergency shelter, shall not be liable to such
 63 resident assisted for civil damages for any personal injuries which
 64 result from acts or omissions by such employee, officer, agent or
 65 volunteer in rendering assistance to such resident which may
 66 constitute ordinary negligence. The immunity provided in this
 67 subsection does not apply to acts or omissions constituting gross,
 68 wilful or wanton negligence.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	52-557b(a)
Sec. 2	<i>October 1, 2012</i>	New section

Statement of Legislative Commissioners:

In section 2(b), the phrase "or any subsequent corresponding internal revenue code of the United States," was added after "1986," for accuracy.

JUD *Joint Favorable Subst.-LCO*